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# Official Report of Debates (Hansard)

Wednesday 16 November 2016

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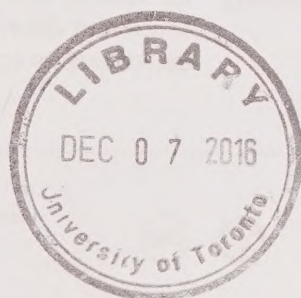
Mercredi 16 novembre 2016

## Standing Committee on General Government

Election Finances Statute Law  
Amendment Act, 2016

## Comité permanent des affaires gouvernementales

Loi de 2016 modifiant des lois  
en ce qui concerne  
le financement électoral



Chair: Grant Crack  
Clerk: Sylwia Przewdziecki

Président : Grant Crack  
Greffière : Sylwia Przewdziecki

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GENERAL GOVERNMENTCOMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES

Wednesday 16 November 2016

Mercredi 16 novembre 2016

*The committee met at 1601 in committee room 2.*ELECTION FINANCES STATUTE LAW  
AMENDMENT ACT, 2016LOI DE 2016 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LE FINANCEMENT ÉLECTORAL

Consideration of the following bill:

Bill 2, An Act to amend various statutes with respect to election matters / Projet de loi 2, Loi visant à modifier diverses lois en ce qui a trait à des questions concernant les élections.

**The Chair (Mr. Grant Crack):** Good afternoon, members of the committee, members of Hansard and communications and our legislative counsel. I'd like to call the Standing Committee on General Government to order. This afternoon, we are thrilled to be able to continue clause-by-clause consideration of Bill 2, An Act to amend various statutes with respect to election matters. I hope everyone's having a great day.

When we adjourned on Monday, we were in the process of a recess that was interrupted at 6 p.m. As such, I had already called for the vote, so we shall proceed with the vote.

*Interjection.*

**The Chair (Mr. Grant Crack):** There will be no more discussion. I shall call for the vote on section 11. Shall section 11 carry? I declare section 11 carried.

We shall—

*Interjections.*

**The Chair (Mr. Grant Crack):** If you would prefer I do it that way—I've seen it done many different ways. I generally do that, and I would be happy to continue in the way I do it.

**Mr. Randy Hillier:** I should put on the record that I'm glad to see the hard-, hard-, hard-working member from Northumberland here today.

**The Chair (Mr. Grant Crack):** Okay. Excuse me. We'll continue.

Moving on to section 12: We have NDP motion number 15, which is an amendment to subsection 12(1), subsection 18(1) of the Election Finances Act. Ms. Fife.

**Ms. Catherine Fife:** I move that subsection 12(1) of the bill be struck out and the following substituted:

"12(1) Subsection 18(1) of the act is repealed and the following substituted:

"Maximum contributions

"Contributions to any single recipient

"(1) The contributions a person makes to any single recipient, whether the recipient is a political party, a constituency association, a nomination contestant, a candidate or a leadership contestant, shall not exceed, in a calendar year, \$1,550, multiplied by the indexation factor determined for the calendar year under section 40.1 and rounded to the nearest dollar.

"Total contributions to party etc.

"(1.1) The contributions a person makes in total to a political party, and to any constituency association, nomination contestant, candidate or leadership contestant affiliated with that political party, shall not exceed, in a calendar year, \$3,100, multiplied by the indexation factor determined for the calendar year under section 40.1 and rounded to the nearest dollar."

**The Chair (Mr. Grant Crack):** Ms. Fife?

**Ms. Catherine Fife:** This motion, this amendment, limits contributions at \$1,550 per contribution, regardless of the category, and \$3,100 globally for a whole party. In the past, we had opted to withdraw this motion, during Bill 201, in favour of—Chair, actually, I'm quite mistaken. I should have withdrawn this motion prior to reading it. Sorry. We had given notice that we would be withdrawing. We're supportive of the \$1,200. My apologies.

**The Chair (Mr. Grant Crack):** Okay. I think it's fair that you actually read it in and then withdrew it. That's the appropriate way to do it, so thank you very much. I will declare NDP motion number 15 withdrawn.

We shall move to NDP motion number 16, which is an amendment to subsection 12(2), subsections 18(4) to (6) of the Election Finances Act. Ms. Fife.

**Ms. Catherine Fife:** I move that subsection 12(2) of the bill be struck out.

**The Chair (Mr. Grant Crack):** Further discussion? Ms. Fife.

**Ms. Catherine Fife:** This amendment involves the notice of a nomination contest: "A registered party or registered constituency association that proposes to hold a nomination contest shall file with the Chief Electoral Officer a statement setting out the date of the official call of the nomination contest and the date fixed for the vote."

We feel, Mr. Chair and to the committee, that this places an unfair burden on nominee campaigns and may deter democratic involvement. I don't believe this was ever the intention of the government as we set out on this



journey. The goal was, obviously, to address cash-for-access. It was to increase greater openness and transparency around fundraising. It was never the intended goal of this committee to set out any amendment that would put up a barrier to anyone who is seeking a nomination. So we have moved this amendment to address this concern, which, I may add, we did hear from the Chief Electoral Officer, who did express a similar concern.

I am hopeful that the government will see fit to recognize that the benchmark has been set so high in this regard that it would, in fact, deter a candidate from seeking nomination and participating in our democratic process.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Berardinetti.

**Mr. Lorenzo Berardinetti:** Thank you, Mr. Chair, and good afternoon to everyone.

The government will be voting against this motion. Bill 2 seeks to curtail the influence of outside political actors on political candidates. There's no risk of outside influence on a candidate's position if their campaign is self-funded. There's no danger here, in our view.

**The Chair (Mr. Grant Crack):** Mr. Hillier.

**Mr. Randy Hillier:** Can I just ask for him to repeat that last little bit? He wasn't speaking clearly into the microphone, and I didn't hear the—

**Mr. Lorenzo Berardinetti:** I'll move it a little closer to me. The government will be opposing this motion. Bill 2 seeks to curtail the influence of outside actors on political candidates. There's no risk of outside influence on a candidate's position if their campaign is self-funded.

**The Chair (Mr. Grant Crack):** Mr. Hillier.

**Mr. Randy Hillier:** We get this curtailing of outside influence; however, this motion is seeking to strike out 12(2), which puts limits. At the present time, the bill prevents an individual from funding more than \$5,000 of their own campaign. The NDP amendment would strike that out, so that there would be no limit on somebody financing their own nomination contest, for example.

I agree with you: The purpose of the bill is to curtail outside influence. But what this bill is doing at the present time is curtailing one's own ability to enter the democratic process because it's talking about self-funding, somebody putting in their own funds to finance their own campaign. So there is no outside influence here; it's somebody using their own money.

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I'm totally in agreement with the NDP, with the third party, on this, and with the Chief Electoral Officer's recommendations as well. The purpose of the bill is not to impede and restrict and prevent individuals from entering into the democratic process. Subsection 12(2) actually does put significant barriers in front of individuals from entering into the democratic process.

I can tell you, when I ran for the leadership of the Progressive Conservative Party, if this bill had been in place, if these clauses had been in place, I would not been able to run for the leadership of my party. I needed to use

funds of my own, and I needed to also rely on bank loans to fund my campaign.

Going back to just the very basic nomination level, we're preventing individuals from—this bill will, if passed, make it more difficult for individuals to raise funds for their candidacy from outside sources, but it will also prevent them from raising funds from themselves. I don't know how you can argue that it is good for democracy to limit people from financing their own campaign to this degree, especially at \$5,000.

So I'm fully supportive of the NDP motion here. I think it's bad public policy, will have significant and negative consequences, and do exactly what we don't want our election finance laws to do: to prevent people from entering into the democratic process. So we'll be supporting this amendment.

**The Chair (Mr. Grant Crack):** Mr. McDonell.

**Mr. Jim McDonell:** I have similar concerns. I think, even if I go back to my own nomination process, which was in a rural area—which sometimes, I would think, would be a lower-cost issue. But you're driving—I mean, there are a lot of things you do during a nomination; the mailings you do. I look at just a recent nomination that we had in Niagara, where there were thousands of nominations—or people, members. So how do you—the letter to get things out. With just that one cost, the mailings would almost approach that.

For a lot of people, their campaigns for nominations are typically self-funded. They're not helped out. So you're eliminating a group, and if you do have somebody that's not self-funded and that has help from other people, then you're really curtailing their ability to compete, because they're stuck at an arbitrary number.

This bill was really introduced because of a cash-for-access issue with the government. They're trying to, I guess, throw some of this mud around, but it should never have gone to this extent, where you're starting to curtail people spending their own money on their own campaign, in a nomination where there is absolutely no party help because they're not part of the party yet—at least the candidates. We have to support this membership. If you went around the House, or various politicians around the country, it's a very oddball type of restriction to put on their campaigns.

Once you're in a more urban centre, getting around and getting a hold of people requires a lot more mailings and a lot more contacts than it does—trying to get information, because people's cellphones are not easily obtained. You can't get a hold of people like you could 30 years ago, when everybody was in the phone book. That's typically not the case anymore.

Anyway, I just think that it's a dangerous type of restriction, and I think that the NDP was correct in pointing this out. I just don't see what it has to do with the whole intent. If we take the government at its word—that it's trying to curtail the purchasing of allegiance to an outside party—certainly somebody who's spending their own money just doesn't fall into that category.

**The Chair (Mr. Grant Crack):** Ms. Fife.



**Ms. Catherine Fife:** I guess I am genuinely surprised that the government wouldn't acquiesce on this motion. The Chief Electoral Officer himself pointed to a lack of process in how some of these amendments to the bill were developed, and also a lack of evidence. Where did the government get the \$5,000 ceiling for an individual to draw the line on?

I think we have to be aware that there are contested nomination races, which actually can be very good for democracy, I have to say. When you have multiple candidates who are seeking the nomination of a party, whatever party and whatever place in Ontario, this is good for our democracy. They pull people into the democratic process. They sell memberships. They have conversations about the issues that are affecting their community, about their lives, about their budget, around the finances of the province. These are healthy, grass-roots ceremonies—democratic ceremonies, if you will.

When the Chief Electoral Officer came to us and pointed to some of his concerns as to some of the changes, particularly around the nomination process—and of course, the government did also have to push the date to July 2017, because the Chief Electoral Officer had not been consulted on any of these recommendations. So, in a very not-so-transparent and not-so-open method, you have an independent officer of the Legislature who is trying to catch up to a political process which he should have been a part of from the very get-go.

I think our primary concerns around this are that it does place an unfair burden on the nominee who is running in the campaign. I'm thinking particularly of women who are seeking nominations, who are seeking to be the candidate in the political process. If you are not the established candidate and you do not have the establishment supporting you—and this happens in all of our parties. It does. We have to be honest about that. If it's not your turn to be the candidate—and this actually happens. This is some of the language that we hear when people are trying to enter into the political arena, that, "No, no, it's not your turn. You have to wait." And if you choose to challenge that status quo, you have a very difficult time raising money to do so.

If you're very committed to the process—we have members within our own caucus who challenged that process, and they used their own money to do so. Our party is a better party because they challenged the status quo.

So why would the government, from the activist centre, from the promise of doing government differently, from the promise of openness and transparency—why would Kathleen Wynne stand in the way of good, engaged candidates seeking a nomination by limiting the money that they can bring to the race for the nomination leadership? It runs contrary to everything that we have heard. All of us have been in this very situation.

I hope the government is following this argument here, because on this side of the table, we have a genuine, good argument to be made on this amendment, which is why we have brought it to this committee.

**The Chair (Mr. Grant Crack):** Mr. Berardinetti.

**Mr. Lorenzo Berardinetti:** Thank you, Chair. I'll just address my remarks to you very quickly.

In the Chief Electoral Officer's submission to this committee on October 31, on page 8, the second-last paragraph, he does say, "Allowing self-funding at a level well above the regular contribution amount is a loophole that benefits those with greater financial resources." So if someone very wealthy—I'll just repeat it again for Ms. Fife, for Catherine. In the Chief Electoral Officer's submission on October 31, on page 8, second-last paragraph or second-last box, there's a section here where he says, "Allowing self-funding at a level well above the regular contribution amount is a loophole that benefits those with greater financial resources." In other words, I think he's trying to say that if a wealthy person wants to run, they could use their money as much as they want to run their own campaign. So we're trying to not give wealthy candidates an advantage. That's all.

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**The Chair (Mr. Grant Crack):** Mr. Hillier?

**Mr. Randy Hillier:** Thank you, Chair. I think it's also important to read the Chief Electoral Officer's recommendations on page 13, where he states:

"I am in favour of nomination contestants having to register with Elections Ontario. However, I think imposing the same registration and reporting requirements on these individuals as are in place for leadership contests is problematic. Nomination contests number in the hundreds before an election, have very modest spending and expenses, take place locally and are volunteer-run. To my mind, imposing the same rules as apply to leadership contests is going to be unduly burdensome on parties and their local members.

"Unlike the 122 party nomination contests that may take place for each party before an election"—it goes on about leadership campaigns, which I don't think we need to get into right at the moment.

But you can see that the Chief Electoral Officer said that having the same requirements for nomination contestants is problematic, and the Liberal Party has already agreed to that by having a motion to extend the dates on these things. But the point that needs to be driven home here is that we haven't heard of any evidence and we haven't seen any justification of why it should be \$5,000, first off. Nobody has given any rational argument of why this limit ought to be \$5,000.

I'm going to say, once again, that the object of the bill, as stated by the parliamentary assistant, was to curtail outside influence. It has broadened out beyond that. Clearly, the objective of this bill, in my opinion, now has become to disperse culpability over the cash-for-access abuses that members of the Liberal Party were engaged in, to dilute their own culpability and disperse it out onto others.

We know that a nomination contestant, who is restricted from attending fundraising events, who is also restricted in financing their own campaign—those two elements are substantive barriers for many people to



engage and become contestants. I think if the parliamentary assistant wants to be clear, they should come out and say that the purpose and objective of this bill is to limit participation in our democracy, because that's what they will be achieving. Be forthright, come out and say that you're willing to limit participation in democracy in order to disperse the culpability of the actions of your ministers during the cash-for-access.

Just bear this in mind, members: I know when I ran for my nomination, I rented out town halls, I rented out buildings to have town hall meetings and to sell nominations. I had telephone expenses. I had gas expenses. I had all those expenses, and that nomination campaign, for me, was a six-month contest—six months. For an individual to be involved in that and not be able to raise or attend fundraising events and not be able to finance their own campaign—just how do you expect that person to be engaged? How do you expect somebody to go through that process—now, granted, maybe for nomination contestants in downtown Toronto, maybe it's not a concern. Maybe they don't need to go out and rent halls and have town hall meetings. I know they don't have to drive the same distance that I did in rural Ontario: over three counties, Lanark, Frontenac, Lennox and Addington counties. Those three counties take up a far larger geographical area than the whole of the GTA. So how is one supposed to be a nomination contestant in rural Ontario, especially under these undue restrictions that are being promoted under Bill 2?

I'll speak to the member from Northumberland. You represent a large county—

**Mr. Lou Rinaldi:** I raised money.

**Mr. Randy Hillier:** You may not have spent any money. You were a previous MPP. Maybe you were—

**Mr. Lou Rinaldi:** I did.

**Mr. Randy Hillier:** You did?

**Mr. Lou Rinaldi:** But I also raised money.

**Mr. Randy Hillier:** But under Bill 2, you—

**Mr. Lou Rinaldi:** You can raise money.

**The Chair (Mr. Grant Crack):** Order. Mr. Hillier, just continue.

**Mr. Randy Hillier:** There are differences. You cannot raise union and corporate donations, which we're all in agreement with.

**Mr. Lou Rinaldi:** I didn't have any.

**Mr. Randy Hillier:** But you are prevented now from raising money from union and corporate sources.

**Mr. Lou Rinaldi:** Yes.

**Mr. Randy Hillier:** You're prevented from going to fundraising events, and you're prevented from using your own money in excess of \$5,000. You've got a lot of barriers and you've got a lot of hurdles there, and to what end? Why do we want to make it so difficult for an individual to try to be a contestant and seek the nomination for a political party? There's no benefit there for any of us. There's no benefit for the institution. There's no benefit for our constituents if we limit the field of who is seeking to represent them and put their name on the ballot. You cannot make a rational argument for 12(2) in

a participatory democracy; for an administrative democracy, maybe, where the parties are just going to determine who's going to be the contestant. You could make an argument for that. If we want to allow political parties to determine in advance who will be the candidates, sure, but I don't want that. I know my constituents don't want that. I'm hopeful that the members of this committee don't want to vest that level of authority into the party apparatus so that it's not a choice for Mr. Rinaldi to contest. He'll be told, "Yes, you're allowed, and yes, you will be," or, "No, you won't be." That's not what we want to achieve.

I really would ask the committee members to put away the direction from the party. This is going to have bad consequences for this institution and bad consequences for our democracy, and it does nothing to prevent the abuses that members of the Liberal cabinet were involved with in cash-for-access. Heaven forbid if somebody should influence themselves with their own money. That's what you're saying here: that people can't influence their own opportunities, their own options. Somebody may want to seek the candidacy, seek the nomination, but you're going to prevent them. It's a horrible and tragic abuse that is being propagated under this section of the bill.

1630

**The Chair (Mr. Grant Crack):** Ms. Fife.

**Ms. Catherine Fife:** Thank you, Chair. I think my colleagues here have expressed some of my concerns as well. When a limit is set for a candidate to seek a nomination, the rules of engagement have changed drastically. In the past, we would have probably been able to seek donations from businesses and from unions. We have all agreed that that needs to change now, so it does place the onus on the individual in a more concrete way. I note that the parliamentary assistant is now quoting the Chief Electoral Officer. It's interesting for me that the government have consistently been inconsistent in their choice of what advice they take from the Chief Electoral Officer.

In this instance, though, there's no evidence as to why the \$5,000 ceiling has been set, and no rationale has been given to support it. I've given a good example, I think, of how this would create a barrier, particularly for women, to enter into a nomination race. Those barriers are already there and may have been alleviated in some regard through the support of a union or a workplace in the past, but that has now changed.

I still would like the government to reconsider the \$5,000 limit, in this regard, going forward. Regardless, though, I definitely want to see a recorded vote on this, please, Mr. Chair.

**The Chair (Mr. Grant Crack):** Mr. McDonnell?

**Mr. Jim McDonnell:** Thank you, Chair. As we go through many of the good reasons why we find this amendment so important, we just think of the barriers it creates. Imagine if you're a handicapped person trying to battle the establishment—the barriers that you would have. You can no longer have a town hall where you can



actually gather people around and try to get known so that you can raise money. Mr. Rinaldi had the benefit of being a previous member up here, but if you're somebody that's starting out, are we limiting nominations and entry into the political realm by people are well supported in the community? It's very hard to get started.

I have to tell you, if you have trouble getting around, if you need help in rural areas, at least, and in urban areas, or if you need special vehicles sometimes, you're fighting the establishment, as we saw with one of the issues in Sudbury—it takes money. Sometimes the best politicians have started off because they have an issue that they have seen is an issue for themselves and the province, and they wanted to see change.

We're basically saying that we're going to put limits on and make sure that it is very difficult for these people to actually get a foothold, and basically let the membership of the local party decide. If you're going into a nomination meeting where you're constrained, you likely don't have any outside help. You're talking about expenses. It costs money to get around. It costs money if you need a special vehicle. It costs money to get out and work the system. This is not hypothetical. I think, as I say, we saw this in Sudbury, somebody who would have extra, tough issues with trying to get a nomination. Expenses are high, and now we're finding out that we're going to somehow put a barrier in for these people.

This is really an issue—government cabinet ministers sitting there with quotas on fundraising getting caught; we see large donations going back to people who have been successful on contracts; and now we're turning it around that it's the candidate, the unknown person who would like to run for politics? Now you're putting limits on him, too? How far do you have to spread this? Are we going to go after people who aren't running too somehow and penalizing them if they don't put their name in?

These people also have no tax credits, so there's no benefit. It's not like when you're part of a party and you're a member: If people contribute, they get up to three quarters off. These people get nothing back. Every cent they put into it they lose if they don't win.

It's hard to believe you'd spend much less than \$5,000 on a campaign. Of the expenses you have, some of them go quite long, and the ability to put a cap on it so that you can't go that little bit further, when you've got some well-greased machines out there generating lots of donations—I guess it saves a leader from having to step in and be embarrassed by ruling somebody out, but that's not democracy. They can always do that and take the suffering for it, but you're trying to cook the books so that, really, you eliminate these people. I don't think it's fair, and I don't know why we would stand here and allow this to happen. What benefit does it do to the system?

What was the reason for this bill? I know it started out on a kitchen table somewhere, but it was not meant to penalize people who are running for a nomination and who have likely not had any experience in it before. You're putting a hard barrier in there. This really benefits

the big establishment, which can turn around and choose who they want to run. You're putting in an unnatural restriction.

I think the member opposite talked about the Chief Electoral Officer, but if you read the context of what he's talking about, he's not talking about nominations; he's talking about candidates and people who are running for the leadership. There's quite a difference between that—these people that he's talking about are people who have the support of the party. He's right: If you allow him or her—the candidate—to exceed all their restrictions, that's a problem. But you're talking about a nomination here where there are no tax benefits, there's no benefit to—people don't generally get bought out with their own money. They've seen what happens in politics sometimes with some of the people ahead of them and think maybe there's an opportunity for investment, but really, that's not what we want here. We're talking about people who genuinely want to get involved in politics, have a real desire, and here we are tying one hand behind their backs.

I just haven't heard a reason other than that one quote from the Chief Electoral Officer, but clearly, that's not what he's talking about here, and I don't think anybody can argue that. It would be interesting to see just what he would say if we were allowed to ask him. If he was a member here, he'd probably be able to explain that, but of course, he's not a part of this discussion, with all his expertise. He was very clear that in all his reviews around the democratic world, he's never seen anything quite like this, so he has nothing really to base any of his knowledge on because nobody has ever gone this far. I guess the question is: Is there any justification for this government to go that far?

**The Chair (Mr. Grant Crack):** Mr. Hillier.

**Mr. Randy Hillier:** I just wanted to refresh the committee's memory of when this Bill 201 started. There was a strong message telegraphed to everyone by the Premier: Her expectation was that this process would be conducted in an open, frank manner, and would be non-partisan. That was her expectation. I've stated this many times: I believe, initially, the committee did conduct itself in a non-partisan fashion. But when we look at the government's actions and their statements, whenever an NDP motion or a Conservative motion is introduced, they're always voted against. That's not non-partisan. That's taking a partisan approach, directly contrary to what the Premier telegraphed to everybody.

1640

Listen, I get it. I understand you're under directions from the Premier's office or from the House leader's office. But let's keep our actions and our decisions consistent with the message the Premier delivered.

My final statement on this is: The only way that you can justify having these clauses in this bill is if you want to move to anointing candidates instead of electing candidates through a nomination process. If you want every electoral district to have a candidate who is anointed, such as taking Olivier out of the Sudbury equation and



putting in Thibeault, then you can make an argument for these clauses. But the only outcome that this is going to lead to is the party anointing a chosen individual to be their representative in a riding. It's going to take away from the people on the ground—our constituents, our party members—their ability to affect or to influence what the party looks like with their candidates.

Everybody sitting on this committee—you may be fine and dandy today, and you may be saying, “For 2018, I’m a sitting member. I’m an incumbent. I’m not going to be challenged. I’m going to have the candidacy. I’ll be the nominee.” But would you be here if this bill was in place prior to 2014—for a couple of members on this committee? Would you be able to be here under those restrictions of not accepting union and corporate donations, not attending fundraisers, not being able to finance your own campaign? And are you willing to accept and champion an anointment process by the party instead of the grassroots and participatory system that we have today?

**The Chair (Mr. Grant Crack):** Further discussion on NDP motion number 16?

**Ms. Catherine Fife:** Recorded vote, please.

**The Chair (Mr. Grant Crack):** I shall call for the vote, there being no further discussion. It shall be a recorded vote, as requested by Ms. Fife.

#### Ayes

Fife, Hillier, McDonell.

#### Nays

Berardinetti, Colle, Hoggarth, Rinaldi, Vernile.

**The Chair (Mr. Grant Crack):** I declare NDP motion number 16 defeated.

There are no amendments, then, to section 12. Is there any discussion on section 12? There being none, I shall call for the vote on section 12. Those in favour of section 12 carrying? Those opposed? I declare section 12 carried.

We shall move to section 13, which is PC motion number 17, which is an amendment to subsection 13(1), subsection 19(1) of the Election Finances Act. Mr. Hillier?

**Mr. Randy Hillier:** I move that subsection 19(1) of the Election Finances Act, as set out in subsection 13(1) of the bill, be amended by striking out “nomination contestant” in the portion before clause (a).

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Hillier.

**Mr. Randy Hillier:** Sure. Thank you, Chair. You can see that's a fairly straightforward amendment. The first paragraph, where it strikes out that clause, refers to political parties, constituency associations, candidates for leadership and nomination contestants. Once again, we are seeking to have “nomination contestant” struck out of the bill, for the many reasons we've offered in the past.

Listen, I'm not going to reiterate all of the arguments that I have put already. However, I'm just going to put this out for the committee members—it looks like the House leader's staff have left. You're making it difficult for this bill to enjoy all-party support. I think that was the desire by the Premier. The Premier wanted this bill to enjoy the confidence of the whole House, that we were all recognized and that this new bill would be a reflection of the desires of all members and of all parties. Clearly, your actions in the committee are preventing that from happening. You're preventing the House as a whole, as an institution, from putting a stamp of approval on the election financing laws that we all must be in compliance with at the end of the day.

I just don't understand why there is such an unwillingness, that they would prevent the bill from enjoying the confidence of the whole House. We have heard lots of excuses, Chair, about why the Liberal members are striking down and voting down opposition amendments, but an excuse is not a reason. We know the difference between an excuse and a reason, and when the argument is advanced—which holds no water at all, like in the last amendment—that they want to curtail the outside influence, but they do so by restricting one's own influence, we can understand that the arguments are specious. The arguments are totally without foundation.

I see the Liberal staffers are back in here taking notes. I would strongly encourage the Liberal Party, the government, to reach out and really endeavour to find all-party agreement on this bill and not make it difficult for the House as a whole to express confidence in election financing reform.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. McDonell.

**Mr. Jim McDonell:** In line with Mr. Hillier, we look at the reason for this, and I think we all heard very clearly the need for all-party support in the House from the Premier, but we're seeing something very different.

For most bills, I know, that go through here—I've been involved over the years in a number of bills, and if you're putting through a bill on hot water tanks, you may vote down our amendments for whatever reason, but they aren't impacting the democracy that we're actually trying to work under. This is significant. It does impact democracy and the rules that allow this all to be voted on. This is not something that we can look back on, revise in a few years and say, “Well, what the heck? We tried something and it killed another industry.”

1650

This is something that really is changing the way people are voted for in this province. It's something that the Chief Electoral Officer said has not been repeated anywhere else. There's no looking back and saying, “Jeez, they do a damn good job over there. Maybe we'll try this scenario.” It's quite the opposite, and for good reason, because I think everybody else would look at the ridiculous nature of some of these clauses in here.

There's no question that there's all-party support in much of this bill. You sit back and you wonder, really,



why: Why are these restrictions put in even on contestants? The Liberal Party got caught doing something that borders on being illegal, and I guess the courts will maybe prove out some of this. But trying to turn this around so that you're going to limit the ability for candidates to run for any one of the 40 or 50 parties that are out there? It's got to make you really wonder why—certainly the three main parties.

Our goal in this Legislature should be to enable the best candidate to get elected through the best possible procedures. Nominations are quite different from an election. You're even going that far to limit their ability to even contribute their own money.

NDP and PC amendments after amendments are voted down. That doesn't show a lot of co-operation. Some of these are very harmless. They have a significant impact on the law, but they're very harmless for the governing party here. I've been in meetings here where I haven't heard a word from the vast majority of the Liberal members, and you've got to wonder why. Is the message from the corner office, "Don't say anything in case you say something wrong. It might be quoted later"? It really begs that question.

I know there's not a lot of press here, but I've been here and seen that for some of the speakers, people's backs are turned. For something that's this important—I mean, this is not your run-of-the-mill, door-to-door-sales type of issue. This is really something that's going to affect the way people are elected in this province. Typically, when you make changes like that, in many cases people demand that they go out as a referendum.

This is something where all parties agree that there were abuses in the system. We'd like to see them curtailed, but this goes way, way too far. I guess you can blame the opposition party; people might believe that, but blaming and trying to limit people who have likely never been involved in politics before? You're really making sure that the leader of the party can, instead of having to be embarrassed by activities we've seen in Sudbury, make it impossible for the person you don't want to get elected to get nominated.

Again, every time we see somebody get caught here—it's always the same side—they lash out and they try to make some messaging about how we're going to fix the system. But we see that they're just rigging the system. I think that's a problem.

**The Chair (Mr. Grant Crack):** Mr. Hillier.

**Mr. Randy Hillier:** I'll just finish off with a short statement here. Listen, I understand that every member here has a duty to their party. I get that. There is a convention and a requirement to adhere to and respect party discipline on legislation. But I will say this: We have a higher duty than just our parties. The higher duty is to this institution.

When we're making laws that affect this institution and how it will be constituted, we have to respect that higher duty, and we must bring forth legislation that is respectful of all the constituent parts of this institution. To do otherwise is an abrogation of that duty. To bring

forth legislation that will limit participation, that will create obstacles and barriers for people to become members of this institution, is wholly contrary, I would say, to our oath of office that we took. We're breaking that oath when we bring in legislation that we know will have negative effects and impacts on the makeup of this institution.

You all have the ability to exercise your judgment. I'm calling on you to exercise that judgment, search your conscience and say, "Is this really going to improve our Legislative Assembly, by creating barriers for people to be elected members of this institution?" I would say it is a breaking of that oath when passing legislation such as this that will be a barrier.

**The Chair (Mr. Grant Crack):** Further discussion on PC motion 17? There being none, I shall call for the vote. Those in favour of PC motion number 17? Those opposed? I declare PC motion number 17 defeated.

We shall move to PC motion number 18, which is an amendment to subsection 13(2), subsection 19(2) of the Election Finances Act. Mr. Hillier.

**Mr. Randy Hillier:** I move that subsection 13(2) of the bill be struck out.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Hillier.

**Mr. Randy Hillier:** I'll just say that 13(2) amends 19(2) of the act by adding in "nomination contestant." We of course believe that the act is fine at the present time without incorporating or capturing nomination contestants into the act.

**The Chair (Mr. Grant Crack):** Further discussion on PC motion 18? Mr. McDonell.

**Mr. Jim McDonell:** I'm just wondering, because I've been here for a while now trying to figure out why we haven't heard from the Liberal Party, why this would be an issue. Nobody has an answer for this. If we're going to make serious changes like that, there needs to be some explanation.

I know there was an attempt at a comment by the Chief Electoral Officer, but that clearly did not address nomination contestants. It was talking about candidates of a party, which are entirely different because there's a legal way of getting back tax credits; there are some benefits there that you were talking about. But these are just the contestants that are, generally—sometimes it's a heavily contested riding. I think we have a lot of heavily contested ridings, as I think the NDP does now, just because of the current political attitude towards the government in place here. A lot of people want to get involved. They're fed up. Now, to go back and tell them that they're going to be severely limited in their ability to even run for a party—you've got to wonder why.

We are encouraging, on our side, open nominations. But it makes it very difficult to have an open nomination if you can't even fund your own party or your own nomination to a point, because these are not individuals who are likely going to be able to have a mail-in of nominations from the overall crowd, because they're not allowed to really solicit them. That's also restricted in this bill.



1700

We just feel that adding the candidate is something that's a major change. It has nothing to do with all that has gone on, nothing to do with the scandals of this government. But I guess if you spread that scandal further and further, you're hoping you'll dilute it enough that people won't notice it. But people are noticing what happened. They notice the current charges going on here. There's a better way to make sure that the Premier doesn't have to resort to this next time. Certainly, limiting candidates in the nomination is not the best for this institution. I agree with Mr. Hillier that it's unbecoming of decisions that we should be making as elected officials here to make sure that we make it very difficult for somebody else to take our spot.

**The Chair (Mr. Grant Crack):** Mr. Berardinetti?

**Mr. Lorenzo Berardinetti:** I just want to say that we already spoke to the importance of nomination contestants being subject to the same rules. How many more times do I have to say it? It's all in this legislation here.

**The Chair (Mr. Grant Crack):** Mr. Hillier?

**Mr. Randy Hillier:** Well, I didn't hear any reasons why that justified any importance placed on this. Like I said, I've heard some excuses, such as you want to curtail outside influence. We had this discussion on Monday. The nuts of this here are very clear: A nomination contestant cannot influence anything in this assembly. A nomination contestant cannot impact any legislation. A nomination contestant cannot engage on a government contract. A nomination contestant cannot influence an RFP. A nomination contestant can't do anything with respect to public policy, the expenditure of public funds or the creation of taxation. All the jurisdictions that this assembly has are influenced and affected by elected members, not by nomination contestants. That's very simple, very clear.

We need and ought to have laws for elected people, how they're raising money and how raising money is impacting public policy. But nomination contestants fall far outside that scope. Nobody on the Liberal side has explained to this committee how a nomination contestant is going to affect public policy. Nobody on the Liberal side has explained how a nomination contestant will influence the awarding of a government contract or a renewable energy project.

Please explain to me, in whatever period of time it takes you to do it—explain to this committee how a nomination contestant is going to affect change of public policy. Grant you, once and if that nomination contestant is successful and is elected to this assembly, then of course, at that time, the threshold and the criteria and how that individual behaves and what actions they're engaged in must have constraints placed, because they can affect public policy, they can affect taxation and they can affect the awarding of contracts.

Please, Parliamentary Assistant, explain to me how the nomination contestant affects any of those—any of them.

**The Chair (Mr. Grant Crack):** Further discussion?  
Mr. Hillier.

**Mr. Randy Hillier:** Once again, the silence of the lambs is here. That is not the role of a committee, to have a flock of silence sitting here. You're elected and paid to engage in the development of public policy and legislation. That's why we're here. That's what you're paid to do. Silence is not an acceptable argument. Questions have been posed. There has been no response. As I said, if you want—and I think it should be an overarching desire by the Liberal government—to seek all-party support, you have to engage.

Listen, if I'm wrong, if nomination contestants can affect government policy, please tell me how and I will withdraw the amendment. If nomination contestants can award government contracts, please tell me how; I'll withdraw the amendment. I will withdraw any amendment if you provide a rational, factual argument of how a nomination contestant affects the jurisdiction of this assembly.

I see that the silence of the lambs continues.

Chair, I can go on at length. I want to get to the meat of this, but I'm not going to permit silence to be recognized as a legitimate form of public policy discussion. I'm not going to accept silence as an argument or to allow the non-partisan actions of the Liberal members to impede and create bad public policy.

Recorded vote.

**The Chair (Mr. Grant Crack):** Further discussion?  
Mr. McDonell.

**Mr. Jim McDonell:** In line with Mr. Hillier, it worries me, because I look at a lot of the other parts of this bill and it makes me wonder: Are a lot of these being put in because the ruling party has discovered a way to get around them, and this is just a way of making it look like it's a cloud put out there, that we see a problem and we're doing something?

As I say, there is no discussion here. There's certainly no give and take. Some of these things have no potential damage to any of the three parties here, so I'm not sure what the issue is, but now I really wonder—some of these other limits: Have they discovered a way of getting around third-party advertising, which has benefited them so greatly over the last four elections? Because the Chief Electoral Officer has said very clearly it has changed the results of elections. I guess we won't know.

You have to have some respect for the knowledge and the education of the members opposite, but I have to say they're not generally known even in question period to not provide some comments—the source of many warnings this morning. But I don't see that here. There's nothing. There's no discussion—some very rough attempt to try to pass off the Chief Electoral Officer, but he has been very clear: He is boggled by the intent of what you're trying to do here, as we are. I guess that orders from the top—there has been no response and no attempt to provide us with any reason why you'd be voting this way.

1710

I come from the municipal world, and generally people give some rationale. You don't always agree with



it, but at least there's rationale. We're not hearing anything here. Nothing. Just silence, the silence of the flock.

Anyway, I would like to see a little more thought and a little more rationale put into a bill of this importance. It really is changing the way parties are able to finance. It's too bad because I think there's overall agreement on 95% of this, but the last 5% we see as being very detrimental to the democratic process. I really can't see why the government would be interested in doing this because—the damage they could provide to the party must be fairly limited. We would have the same issues as the third party, I'm sure, would have with any damage that could happen to the Liberal Party. It's mindboggling to go through here and have these things thrown in here and just blindly vote down these amendments without any discussion.

**The Chair (Mr. Grant Crack):** Mr. Hillier?

**Mr. Randy Hillier:** Just another comment. I wonder—and maybe Ms. Vernile can explain this to me. In her time in the media, she covered lots of politics and politicking. I'm wondering: If she, as a media person, saw silence and elected politicians not saying anything about public policy discussion about legislation—what would the media's view be of five Liberal members who have nothing to say, no engagement and no involvement, and who are faced with arguments that have foundation and merit, arguments to make a bill better? What would the media think of the value of elected people who don't engage in public policy development?

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Berardinetti.

**Mr. Lorenzo Berardinetti:** Okay. I'll say it for maybe the 24th time between now and when we had the last committee meeting: We believe nomination contestants should be subject to the same rules as other political actors. That's plain and simple.

The nomination contestant has an advantage and gets elected. All right? They got elected, and they become a minister. Then they can affect public policy. Capisce? Sorry. Understand?

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Hillier.

**Mr. Randy Hillier:** Listen, I understand you believe it. I just can't believe that you don't have an argument to support it.

You said exactly what I said: When the person becomes elected, when the person becomes a cabinet minister, then, yes, they can effect change. We're in agreement. That's a fact. But as a nomination contestant, you cannot, and you just said it. You just said that when they're elected, then they can effect change. So why are you capturing all these people who have no influence? Why, other than a belief—and God bless you; I'm glad a lot of people have beliefs. I'm glad lots of people believe things. But in the development of public policy, we understand the difference between an opinion and a fact. We understand the difference between an opinion and evidence. They're not the same things. Opinions are not facts. Beliefs are not evidence. I've heard it from the

Premier herself and from other members that this Liberal government prides itself on developing public policy based on evidence and fact. I've heard it. It's in every minister's mandate letter, that you're going to advance public policy based on evidence and fact. But here we see no evidence and we see no fact. The only thing that we get is a belief.

I see no response about what the media would think about this as well. I thought that people with media training and a media career always would have something to add into the discussion, but anyway.

Listen, the five of you will have to live with those decisions—

**Ms. Ann Hoggarth:** We'll try.

**Mr. Randy Hillier:** I have no doubt that different people have different levels of feelings of responsibility. I get that. But when our grandchildren go to the polls and find out there's no choice, I'll be able to say that I fought for it and others did not.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. McDonell.

**Mr. Jim McDonell:** Just on that line, it's an interesting take, because I often watch the media and the news, and I can't imagine the comments you would get in the media report about the fact that the governing party had no comment today—nothing. That's what we're seeing—

**Mr. Lou Rinaldi:** Obviously, you weren't paying attention.

**Mr. Jim McDonell:** Well, you can quote something and take it out of context, but that's it.

My residents would certainly speak out if they knew that was going on. They ask me all the time—certain things that they say, I can't repeat here, because they're furious about what's going on up here. You go to meetings, and there are 400 or 500 people—about 700 people the other night—upset about the latest Liberal policies in education. One of our staff members at the county said that he has never seen an issue like this in his 25 years, that has gravitated the whole community against them.

There's just more and more reason why people are fed up. There's no explanation, no logic. There's nothing. We just see small business owners saying, "If I could move my land, I would leave." If you're farming, you can't take the land away. But it's just less return.

One small corner store in my riding has been in business for 30 years. Come Christmas, he says, they'll be bankrupt. That's the type of thing we're seeing here. The hydro bill for a store that's a third of the size of this room is over \$3,000 or \$4,000 a month. He says, "People come in during the middle of the day. I can't get them to come in during the middle of the night. I have coolers that I have to run."

Another one talked about spending over \$1 million—he borrowed the money—on the grocery store. He was supposed to save 30% on his electricity just two years ago—

**The Chair (Mr. Grant Crack):** Mr. McDonell, I have to interrupt. We have PC motion 18 that's talking



about nomination contestants, so I'm just going to try to bring you back from convenience stores. We all love convenience stores.

**Mr. Jim McDonell:** It just speaks to the need for some comment. We're looking at all of the problems that we have here in this Parliament, in this Legislature, and how this has any impact. Why are we attacking these potential future members here by not allowing them the avenue, really, to get elected?

This bill clearly, to take the Premier at her word, was not intended to limit the democratic process, but that's what we're doing here. It was to limit abuses in the system. They're trying to make the mention that all of the parties were involved in it, but certainly we aren't issuing contracts. We aren't making appointments. Opposition parties don't have that ability.

1720

Unfortunately, we all have an idea why this avenue was taken, but they got caught as soon as they issued the restrictions on the election. The media did something that we haven't seen for some time: They did their homework and they found places where donations have led to contracts—big contracts and big donations. Now, what seemed to be an attempt to limit the opposition's ability to pay off their debts after the Liberal Party's was paid off backfired, and now this is the next round to try to spread the mud around everywhere.

Anyway, I think we're seeing no explanation and it's just hard to have a proper discussion when one side refuses to speak.

**The Chair (Mr. Grant Crack):** Further discussion? There being none on PC motion number 18, I shall call for the vote.

**Mr. Randy Hillier:** Recorded vote.

**The Chair (Mr. Grant Crack):** There has been a request for a recorded vote, which will be entertained.

#### Ayes

Hillier, McDonell.

#### Nays

Berardinetti, Colle, Hoggarth, Rinaldi, Vernile.

**The Chair (Mr. Grant Crack):** I declare PC motion number 18 defeated.

There are, hence, no amendments to section 13. Is there any further discussion on section 13 prior to me calling the vote? Then I shall call the vote on section 13.

Those in favour of section 13 carrying? Those opposed? I declare section 13 carried.

We shall move to section 14. There are no amendments. Is there any discussion on section 14? Mr. Hillier.

**Mr. Randy Hillier:** I would recommend that the committee vote against section 14. Section 14 amends section 20 of the act by adding "nomination contestant" after "constituency association," and it would be my

assertion that the legislation does not require that clause, and to vote against it.

**The Chair (Mr. Grant Crack):** Further discussion?

**Mr. Mike Colle:** Recorded vote.

**The Chair (Mr. Grant Crack):** There being no further discussion, and a request for a recorded vote, that shall be entertained, shall section 14 carry?

#### Ayes

Berardinetti, Colle, Hoggarth, Rinaldi, Vernile.

#### Nays

Hillier, McDonell.

**The Chair (Mr. Grant Crack):** I declare section 14 carried.

We shall move to section 15, which is PC motion number 19, which is an amendment to subsection 15(1), subsection 21(1) of the Election Finances Act. Mr. Hillier.

**Mr. Randy Hillier:** I move that subsection 15(1) of the bill be struck out.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Hillier.

**Mr. Randy Hillier:** I think all the arguments have been advanced from the government side. We have heard our opinions and beliefs. I don't imagine that we're going to hear anything from the lambs further on nominations—

**Mr. Mike Colle:** Point of order.

**The Chair (Mr. Grant Crack):** Point of order, Mr. Colle.

**Mr. Mike Colle:** Name-calling is not proper parliamentary procedure. It has been repeated over and over again, the name-calling. I don't think it should be acceptable language in this committee or in the Legislature. For us to sit here and hear this name-calling, this badgering and bullying, without any kind of bringing to order is really doing a disservice to this committee and this work. It is blatant bullying, badgering and name-calling, which have gone on here for an hour and a half without any admonition of the member for bullying, badgering and name-calling. I think that is out of order.

**Mr. Randy Hillier:** Chair, I would like to withdraw.

**The Chair (Mr. Grant Crack):** Thank you very much.

Mr. Colle, you are making a good point of order. They are borderline, in my opinion. Mr. Hillier has withdrawn; that is accepted and much appreciated.

In the future, if we could maintain decorum and respect for one another—

**Mr. Mike Colle:** I'd like to continue my point of order.

**The Chair (Mr. Grant Crack):** Mr. Colle on a point of order?

**Mr. Mike Colle:** Yes. This type of badgering and bullying is something that we've tried to legislate against



for the general public, yet it has been tolerated here for an hour and a half. I think there should be some kind of—and he's now joking about it, thinking it's a big laugh. But we need to stand up to this bullying and badgering, whether it's in committee or in the House or in the public. For us, as members, to sit here and not say anything—we're not doing our job if we don't speak out to that kind of bullying and badgering and name-calling. I think that the Clerk and the Chairman—let's call for a recess until we reassess whether we're going to continue in this fashion, in this committee, in this Legislature. I call for a five-minute recess to consider that point.

**The Chair (Mr. Grant Crack):** Is the committee interested in entertaining a five-minute recess?

**Mr. Randy Hillier:** I'd like to have a comment.

**The Chair (Mr. Grant Crack):** Okay, I'll allow the comment. Well, actually, no. So is the committee interested in a five-minute recess? Okay, a five-minute recess, please.

*The committee recessed from 1726 to 1733.*

**The Chair (Mr. Grant Crack):** I'll call the meeting back to order after a short recess.

In light of the discussion that just transpired prior to the recess, I would just like to remind all members that we are honourable members and that we should choose our words carefully at all times, as we do in the House, as we move through this clause-by-clause in order so that the debate does not disintegrate to a point where it becomes personal. So I would just remind members we are honourable, let's remain honourable, let's move forward and let's get to work.

We are on section 15, PC motion number 19, which is an amendment to subsection 15(1), subsection 21(1) of the Election Finances Act. Mr. Hillier?

**Mr. Randy Hillier:** Have I already moved that one or not?

**The Chair (Mr. Grant Crack):** I think so, but if you want to do it again that would make for clarification.

**Mr. Randy Hillier:** Okay. I move that subsection 15(1) of the bill be struck out.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Hillier.

**Mr. Randy Hillier:** Chair, this follows through with many of our other amendments. I would like to say that I find it unfortunate that the member from Eglinton—Lawrence finds my deliberation and arguments a disservice; however, I believe that it is a greater disservice not to be engaged in—

**Mr. Mike Colle:** Point of order.

**The Chair (Mr. Grant Crack):** Point of order, Mr. Colle.

**Mr. Mike Colle:** Mr. Chairman, my point of order was not about arguments and legitimate points of criticism, which I think are totally in order. What—

**The Chair (Mr. Grant Crack):** Mr. Colle, this is a point of debate. So I respect that you're calling it a point of order, but Mr. Hillier has the floor. I know that at times we don't like what we're hearing, but that is part of

the debate. I have to be able to judge, using my own opinion, as to whether it's relative—

**Mr. Mike Colle:** But this badgering, name-calling and bullying has continued unabated for an hour and a half, and it continues to be fluffed off as ordinary—it is not ordinary procedure in committees. We are to be respectful of each other and not to badger, not to bully and not to name-call.

**The Chair (Mr. Grant Crack):** Right. Your comments are well received. That is why I have reminded all members to remain honourable.

I will caution Mr. Hillier to stay focused on the content of the amendment that you put forward in your PC motion number 19. The floor is returned to you.

**Mr. Randy Hillier:** Listen, the language is parliamentary. A comment was made about disservice.

**Ms. Daiene Vernile:** Calling us lambs is not parliamentary.

**Mr. Randy Hillier:** I withdrew that comment, and I'm going forward.

*Interjections.*

**Mr. Randy Hillier:** Listen, if there's any bullying going on, it's from the corner office; it's not from here. Engaging—

**Mr. Mike Colle:** After what you've done for an hour and a half?

**Mr. Randy Hillier:** Anyway, I move that subsection 15(1) of the bill be struck out.

Once again, I believe it's a disservice to the public if we limit participation in democracy. We've advanced those arguments of why this will be barriers. It's unfortunate that the Liberal members are viewing that in some sort of unparliamentary fashion—that I raise up arguments that clearly show that their clauses of this bill are going to do things that we don't want them to do. Don't be upset at me. It's your government that has introduced this bill. It is your government that has put these clauses in the bill. I'm arguing about the negative effect that they will have. So take the animosity elsewhere. I believe it's important that we have a full and frank discussion about how legislation is going to impact people and how it's going to impact this institution.

So I move the amendment. Once again, it speaks about nomination contestants. I have no further comment at this time.

**The Chair (Mr. Grant Crack):** Further discussion on PC motion 19? Mr. McDonell.

**Mr. Jim McDonell:** I guess those comments were intended for both of us over here. When we look at this, we came here with the idea of reasonable, logical debate. We have some issues with some of the clauses here. We do not see the rationale behind them.

We see a party that, because of its silence, obviously are under orders, and I guess they don't like the fact that that goes on record. I'd be embarrassed, too, if I had to sit here for this length of time and not say anything. I sat here two weeks ago for four hours, and not a word was said. I can't believe that they call that "debate." Maybe it's a coincidence that all five members are not saying



anything, not giving any reason for some of the amendments that we clearly see should not be in this bill. We think it's very damaging to what we would like to see in democracy. Interestingly enough, the Ontario election officer states that everybody else in the world thinks the same thing, because nobody has brought this type of thing before. There's no experience to what these would have, because this is really the time—the governing party did everything they could to silence his opinions on this bill. They made sure that he wasn't allowed to be questioned on the merits. He received the last two amendments at the same time we did, long after the bill was tabled.

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You're making some significant changes to the way we select our candidates. We would think you should be concerned, or at least give us some reasons for why you think it's correct. But we all sit here and now we're seeing a group of members who are upset because we're calling them out for really a non-opinion. I don't think the people of this province expect us to have non-opinions. They expect good, logical debate. They expect more than this.

I don't think they're seeing this. I know that, unfortunately, most people in Ontario don't tune into the Parliament; they don't see what goes on here. But, as I say, this is not something that is going to affect the little guy who comes to the door trying to sell you hot water heaters; this is something that is going to affect how we put together the next Legislature in this province. I would think that people should have a real concern about this, and the party opposite should be able to explain some of these major changes they're making, because they haven't been able to do that.

So yes, we're frustrated. I guess we can appreciate that you're probably frustrated, because obviously there are orders not to give an answer, in case it gets negative press. I know you've certainly had a lot of negative press, but it's time to move on and get some direction here.

**The Chair (Mr. Grant Crack):** It was Ms. Fife and then Mr. Berardinetti.

**Ms. Catherine Fife:** Just quickly, it has been a pretty frustrating afternoon, continuing, actually, from Monday as well. I just would like to say to the government side of the House that process matters.

If there had been greater consultation on amendments like this—because I'm pretty sure that people are just going to be catching up to this issue very late to the game. In fact, I did get a letter from the Greater Kitchener Waterloo Chamber of Commerce and the chamber of commerce from Cambridge as well. They asked for some time to actually be part of this process.

In lieu of that, this is our opportunity to ask the government members for a rationale. I think that's what we're trying to do. But this letter pertains to Bill 2. It's directed to the Premier. All MPPs in the region are copied on it, as is the Attorney General. It reads:

"Our organizations are writing to you regarding the tabling of Bill 2, the Election Finances Statute Law

Amendment Act, 2016. Premier, as you are no doubt aware, there has been significant concern with the content of this proposed legislation and the process taken by your government to ensure passage without sufficient opportunity for the electorate to comment.

"We are aware that the Standing Committee on General Government will be conducting public hearings today and Wednesday, November 2;"—this letter was dated at the end of October—"however, the notice for these hearings was not issued by the committee until Thursday, October 27, which provides an extremely condensed time frame for any interests wishing to advance their recommendations on the legislation. Also, for the presenters outside of Toronto, the opportunity to comment is further restricted."

So I'd like to tell you that I think there is going to be a genuine sense of frustration that will likely be mirrored by the work of this committee because of the lack of consultation on Bill 2.

**Mr. Lorenzo Berardinetti:** Point of order.

**The Chair (Mr. Grant Crack):** Point of order, Mr. Berardinetti.

**Mr. Lorenzo Berardinetti:** This letter is not speaking to the motion in front of us today.

**The Chair (Mr. Grant Crack):** I am going to say otherwise. I think it was close to where we're going with regard to nomination contestants and the contents of the bill. Thank you.

I'll allow Ms. Fife to continue.

**Ms. Catherine Fife:** I've finished reading the letter into the record, so you're a little late to the game on that one.

However, the point is that the frustration that people are going to be feeling is that they're not getting answers from the government, and they have a right to be frustrated by that. We rushed the amendments. The consultation on these amendments has not been a thorough process. This is just really going to be the beginning of the frustration, I predict. Thank you very much, Chair.

**The Chair (Mr. Grant Crack):** Mr. Berardinetti.

**Mr. Lorenzo Berardinetti:** Once again, our government is not going to vote to support this, for the same reason. You guys can say we're not talking, we're not speaking. Removing references to nomination contestants from this act is inconsistent with the government's commitment to strengthen the rules around election financing and level the playing field for political actors. To level the playing field, I think, is important.

**The Chair (Mr. Grant Crack):** Further discussion? Mr. Hillier.

**Mr. Randy Hillier:** We're going to go to a vote on this, I think, very shortly. When the vote is called, I'll make sure that I ask for a recess.

I want to give some rationale here. I think it's important for the Liberal members on this committee to take some time out to reflect on the importance of this bill to see if they can find some way that they can get back into engaged and non-partisan activities on Bill 2. I would



hope that maybe a time out would give them that time to consider and reflect on their actions in this committee.

**The Chair (Mr. Grant Crack):** Further discussion? There being none, I shall call for the vote.

Mr. Hillier?

**Mr. Randy Hillier:** I'll ask for a 20-minute recess.

**The Chair (Mr. Grant Crack):** Mr. Hillier, that is in order. As it is now less than 20 minutes to go until 6

o'clock—approximately 13 minutes—that will be honoured, the recess. I will adjourn the meeting very shortly, but we will come back at 2 p.m. on Monday, which is November 21, to continue clause-by-clause consideration.

Again, the recess is granted. This meeting is adjourned.

*The committee adjourned at 1747.*











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